

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHARLES PICARELLA,	:	CIVIL ACTION NO. 1:20-CV-1440
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
JOHN WETZEL, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 19th day of July, 2023, upon consideration of defendants' (Doc. 82) for reconsideration, and the parties' respective briefs in support of and opposition to said motion, and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that the motion (Doc. 82) is GRANTED in part and DENIED in part as follows:

1. The portion of the court's August 16, 2022 memorandum and order (Docs. 74, 75) denying defendants' motion to dismiss the claims against Wetzel, Mason, and Marsh based on a lack of personal involvement in the alleged constitutional violations is VACATED in part as clarified in the accompanying memorandum. To the extent defendants request reconsideration based on lack of personal involvement of Wetzel and Marsh with respect to plaintiff's substantive due process claim relating to the Violence Reduction Strategy, said request is DENIED.
2. The portion of the court's August 16, 2022 memorandum and order (Docs. 74, 75) denying defendants' motion to the dismiss the Violence Reduction Strategy claim based on lack of standing is VACATED. On or before August 7, 2023, plaintiff shall file an amended pleading setting forth any facts that pertain to his alleged injuries under the Violence Reduction Strategy.
3. The Clerk of Court shall TERMINATE Bernadette Mason as a defendant in this action.

4. The time to effect proper service of the John Doe defendants is extended for a period of thirty (30) days from the date of this order. Failure to do so will result in dismissal of these defendants from this action without prejudice pursuant to Federal Rule of Civil Procedure 4(m).
5. Any appeal from this order is DEEMED frivolous and not in good faith. See 28 U.S.C. § 1915(a)(3).

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner
United States District Judge
Middle District of Pennsylvania